

The Corporation of the Township of Whitewater Region

By-law Number 25-02-1741

A by-law to license Recreational Vehicles/ Trailers in the Township of Whitewater Region

Whereas, Section 164 of the *Municipal Act, 2001, S.O. 2001, c.25* authorizes municipalities to prohibit or license trailers located in the municipality;

Whereas, Council has adopted By-law No. 25-02-1741 to amend The Township of Whitewater Region's Comprehensive Zoning By-law No. 24-01-1655 to permit the use and/or occupation of one (1) recreational vehicle on vacant lots located within certain zoning categories;

Whereas, Council deems it is necessary and expedient to enact a by-law for the licensing of recreational vehicles/ trailers in the Municipality;

The Council of the Corporation of the Township of Whitewater Region enacts as follows:

Part I – General

1.0 Definitions

- 1.1 Assessed Trailer** means any trailer legally located on a property and that is assessed under the Assessment Act.
- 1.2 By-law Enforcement Officer** shall mean a person or entity employed directly or indirectly by the Township to enforce the by-laws of the Township and perform other duties as assigned from time to time on behalf of the Township as its agent, and includes their designate assigned the responsibility for enforcing and administering this by-law.
- 1.3 Camping Establishment** means a tourist establishment consisting of at least five camping lots and comprising land used or maintained as grounds for the camping or parking of recreational vehicles and tents.
- 1.4 Chief Building Official** means the officer of the Township responsible for enforcing the provisions of the Building Code Act, and includes employees acting under their direction.
- 1.5 Clerk** means the Clerk of the Township of Whitewater Region as appointed pursuant to Section 228 of the Municipal Act or designate.
- 1.6 Council** means the Council of the Corporation of the Township of Whitewater Region.
- 1.7 Lot** means a parcel of land where one or more buildings or structures are or could be located, or one or more uses could be made. This parcel of land must have its own roll number as provided by the Ontario Property Assessment Corporation.

1.8 Municipal Act means the Municipal Act, 2001, S.O. 2001, c.25.

1.9 Owner means the owner of land as deemed to be the person shown on the last revised assessment roll of the municipality or on the current provincial land tax roll at the address shown on the roll.

1.10 Recreational Vehicle shall mean a structure or vehicle designed, intended and used as living, sleeping or eating accommodation of persons on a temporary, transient or short term basis exclusively for travel, recreation and vacation and which is either capable of being drawn by a passenger vehicle or is self-propelled and which has running gear and towing equipment that is permanently attached and which is not permanently affixed to the ground. A travel trailer, tent trailer, motorhome, and similar transportable accommodation, excepting a mobile home, shall have a corresponding meaning.

1.11 Stored Recreational Vehicle/ Trailer means any trailer located on the property only for the purpose of sale or storage but shall not include any trailer being used at any time for living, sleeping or eating accommodations of persons while located on that property.

1.12 Township or Municipality shall mean the Corporation of the Township of Whitewater Region and shall be defined as the lands and premises within the corporate limits.

2.0 Prohibitions

2.1 No person shall use and/or occupy a recreational vehicle on any property within the Township, except in a designated Camping Establishment, without purchasing an annual license.

2.2 No person shall use and/or occupy a recreational vehicle without a license unless defined in Section 1.1, even if the recreational vehicle was legally placed on the property prior to the date of implementation of this By-law.

2.3 No person shall use and/or occupy a recreational vehicle from November 30th to April 30th of any given year.

2.4 No person shall add additions such as sunrooms, porches, roofs or decks to a recreational vehicle, unless specifically permitted in the applicable Zoning By-law.

2.5 The Owner of the land, other than an established Camping Establishment within the Township, upon which a legally non-conforming recreational vehicle is located, shall be responsible for obtaining a license from the Township or the Township's By-Law Enforcement Officer. No license shall be issued unless the prescribed fee has been paid.

2.6 Where a recreational vehicle that is located on a property in the Township, other than on land used as an established Camping Establishment, has been established to be a legally non-conforming use and where such recreational vehicle has only been used occasionally for living, sleeping or eating

accommodation of persons, such recreational vehicle shall not be deemed to be a stored recreational vehicle as defined in Section 1.11 and shall be subject to an annual license.

- 2.7** No license shall be issued under this by-law if the application for the license would be in contravention of any other by-law of the Township or of any Federal or Provincial law or regulation.
- 2.8** No license shall be issued to permit a recreational vehicle within a settlement area (i.e. Village of Cobden and Beachburg, Hamlets of Westmeath, LaPasse, Foresters Falls, Haley Town Site, Haley Station, etc.)
- 2.9** This by-law shall not apply to a recreational vehicle where such a recreational vehicle is located on an existing lot for the sole purpose of storage or for the sole purpose of the sale of the recreational vehicle. Where a recreational vehicle is being stored or offered for sale no person shall use and/or occupy the recreational vehicle.
- 2.10** No person shall store, use and/or occupy a mobile home on their property, unless specifically permitted in the applicable Zoning By-law.
- 2.11** No recreational vehicle for which a license is required under this by-law shall be used and/or occupied on land except in conformity with the provisions and requirements for a dwelling unit as prescribed by the applicable Township Zoning By-law, as amended, for the zone in which the lands are located.
- a) A license may be issued for a recreational vehicle for properties located within the Flood Fringe and Floodway as defined in the applicable Zoning By-law, subject to the following requirements:
 - i. That the Owner shall enter into a Development Agreement to satisfy requirements relating to:
 - Restricting the placement, use and/or occupation of the recreational vehicle on or before June 1st of any given year.
 - Removing of the recreational vehicle from the property before or on November 30th of any given year.
 - Restricting the installation of any additions such as sunrooms, porches, roofs or decks and accessory buildings and structures.
 - b) A license may be issued for a recreational vehicle for properties located within a water vicinity (WV) zone setback as defined in the applicable Zoning By-law, subject to the following requirements:
 - Reduced minimum highwater mark setback to 20 meters.
- 2.12** The Township may authorize variances from this by-law (i.e. a second recreational vehicle) if in the opinion of the Township the general intent and purpose of the by-law are maintained.
- a) The applicant must submit the duly completed variance application form, in the prescribed form attached to this by-

law as Schedule "C", to the Clerk, along with the required documents, and pay the fee as set out in Schedule "A" attached to this by-law.

- b) An applicant may be required to enter into one or more agreements with the municipality to permit the variance.
- c) Approval of variances is delegated to the Committee of Adjustment.

2.13 A renewal application shall be submitted every year.

Part II – Licensing

3.0 License Exemptions

- 3.1** A stored recreational vehicle, as defined in Section 1.11, does not require a license.
- 3.2** An assessed recreational vehicle, as defined in Section 1.1, does not require a license.
- 3.3** Where a building permit for a single family dwelling unit has been issued by the Township's Chief Building Official, the permit holder may place a recreational vehicle on the property where the unit is being constructed or reconstructed solely for the purpose of the construction and only if any applicable building permit fees are paid and the recreational vehicle is promptly removed prior to the expiration of said building permit.

4.0 License Fee

- 4.1** The License fee for a recreational vehicle shall be as set out in Schedule "A" attached to this by-law or as set out in the Townships annual Fees and Charges By-law.
- 4.2** The license fee is payable for the current fiscal year upon receipt of an application. Every license obtained in this paragraph shall expire on the 31st day of October in that year of which it was issued.
- 4.3** Applications for licenses shall be made to the Township Office and duly signed by the Owner of the property on which the recreational vehicle is to be located. The person to whom a license has been issued shall display the license on the recreational vehicle in a place that can be seen easily from the outside of the recreational vehicle.
- 4.4** All applications for such license shall be made in the prescribed form attached to this by-law as Schedule "B".
- 4.5** The license fee is imposed upon the Owner of the property on which the recreational vehicle located. If the Owner fails to make payment of the license fee in any year, the fee shall be deemed overdue and as such, the full license fee shall be transferred to taxes in accordance with the Municipal Act, 2001 and collected in the same manner as taxes.
- 4.6** Any license issued under this by-law is not transferrable (i.e. to another person and/or property).

- 4.7** No Owner shall store, use and/or occupy more than one recreational vehicle on a lot, except in accordance with the provisions of this by-law.
- 4.8** Every person shall ensure that their recreational vehicle is connected to a sewage system that is operated and maintained as per Part 8 of the Ontario Building Code and enforced by the Chief Building Official, unless the recreational vehicle contains an integral holding tank to be emptied at a facility licensed by the Ministry of the Environment, Conservation and Parks.
- 4.9** No recreational vehicle shall be licensed unless the location of the recreational vehicle complies with the following:
- a) All Provincial statutory and regulatory requirements including but not limiting the generality of the foregoing, any license or permit required by the Ministry of the Environment, Conservation and Parks.
 - b) All Federal statutory and regulatory requirements.
 - c) The provisions and requirements for a dwelling unit as prescribed by the applicable comprehensive zoning by-law 24-01-1655.
- 4.10** A license issued pursuant to this by-law authorizes the use, occupation and maintenance of an existing recreational vehicle on existing lots for temporary accommodations only. The issuance of a license does not grant the licensee the authority to occupy the recreational vehicle on a permanent basis. The issuance of a license is not intended and shall not be construed as permission or consent by the Township for the holder of the license to contravene or to fail to observe or comply with any law of Canada, Ontario or any by-law of the Township.
- 4.11** Every person having been issued a license for a recreation vehicle shall ensure that they:
- a) Have obtained an entrance permit, where applicable, pursuant to the Township's policies and by-laws.
 - b) Have obtained and installed a property identification number and post in a visible location on the lot in accordance with the County of Renfrew Civic Addressing Policy, as implemented by the Township.
 - c) Will dispose of garbage and recycling in accordance with the standards set out by the Township.
 - d) Comply with Property Standards By-law No. 04-01-146.
 - e) Comply with Clean Yards By-law No. 16-02-847.
 - f) Provide electrical power to the recreational vehicles, if applicable, by connecting to the electricity service available at the lot, implement a form of renewable energy and, will not operate a fuel burning generator between the hours of 7 p.m. and 8 a.m. and/or within 30 metres from the nearest dwelling unit.

Part III – Administration

5.0 Administration and Enforcement

- 5.1** Any person who contravenes any of the provisions of this by-law shall be guilty of an offence and shall be liable, for each contravention and each day of contravention shall constitute a separate offence.
- 5.2** No person being the registered Owner of any lot or parcel of land within the Township shall permit any person to use and/or occupy a recreational vehicle on his or her property except in accordance with the provisions of this by-law.
- 5.3** The administration of this by-law is assigned to the Clerk who may delegate the performance of their function under this by-law from time to time as occasion requires.
- 5.4** The Clerk may impose all required conditions to ensure that a person complies with this by-law and any other by-law of the Township or of any Federal or Provincial law or regulation.
- 5.5** Every applicant shall provide in full, at the time the application is submitted, all of the information required on the application form attached as Schedule “B” , as well as payment of the prescribed license fee as set out in this by-law and any other document or information as may be required in any other part of this by-law.
- 5.6** The enforcement of the by-law is assigned to the by-law Enforcement Officer for the Township.
- 5.7** Any recreational vehicles used, maintained or located in contravention of this by-law shall be removed from the lot, at the expense of the Owner of the lot. Failure to remove any recreational vehicles from a lot within the time prescribed by the By-law Enforcement Officer may result in the removal of said recreational vehicle by the Township, at the expense of the Owner of the lot.
- 5.8** Unpaid removal fees may be added to the tax roll, subject to the provisions of the Municipal Act, 2001 and collected in the same manner as taxes.

6.0 Inspections

- 6.1** Any person designated by Council to enforce this by-law may, at any reasonable time and upon producing proper identification, enter and inspect any property licensed under or in contravention of the provisions of this by-law.
- 6.2** No person shall obstruct, hinder or in any way interfere with any person designated to enforce this by-law.

7.0 Penalty

- 7.1** Any person who contravenes any of the provisions of this by-law shall be guilty of an offence and, upon conviction, shall be liable to a fine pursuant to Section 61 of the Provincial Offences Act, R.S.O. 1990, c. P.33, for each contravention and each day of

contravention shall constitute a separate offence, as set out in Schedule "D" attached.

7.2 Upon registering a conviction for a contravention of any provision of this by-law, the Ontario Court, Provincial Division, may, in addition to any penalty imposed by this by-law, make an order prohibiting the continuation or repetition of the offence by the person convicted.

8.0 Validity

8.1 If any section, clause or provision of this by-law is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-law as a whole or any part thereof other than that section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provision of the by-law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

8.2 In the event of any conflict between any provisions of this by-law and any other by-law hereto are passed; the provisions of this by-law shall prevail.

9.0 Effective Date

This by-law shall come into force and take effect upon passing.

10.0 This by-law shall be cited as the “Recreational Vehicle Licensing By-law”.

Read a first, second and third time and finally passed this 20th day of November, 2019.

Neil Nicholson, Mayor

Carmen Miller, Clerk

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Schedule “A” – Annual License Fee

Annual License Fee for a Recreational Vehicle are set out in the Township Fees and Charges By-law

Fee to request a Variance for a Recreational Vehicle from a provision and requirement of this by-law

Variance Fee for a Recreational Vehicle - \$200.00.

Fee for the removal of a Recreational Vehicle in accordance with Section 5.6 of this by-law shall be as follows:

Actual cost incurred by the Township

**Schedule "B" – Application Form
TOWNSHIP OF WHITEWATER REGION APPLICATION
FOR A RECREATIONAL VEHICLE LICENCE**

Name of Owner: _____

Address: _____

Phone Number: _____

Email: _____

Address of Site: _____

Roll Number: _____

Dimensions of Land: _____

Frontage: _____ **Depth:** _____ **Area:** _____

Indicate if Renewal Application: Yes _____ **No** _____

Detailed Description of Recreational Vehicle:

Length: _____ **Colour:** _____ **Model #:** _____

License Plate: _____ **VIN #:** _____

What provisions have been made for:

Septic/Black Water: _____ **Heat, if applicable:** _____

Expected dates of occupancy: _____

A Site Plan of the property should be attached showing the following:

- **Property Dimension**
- **The Location of the Recreational Vehicle on-site including setbacks from all lot boundaries, roadways and waterbody courses as set out by the Township Zoning By-law.**
- **Location of Septic System**
- **Location of Well**
- **Driveway/Parking Spaces**
- **Fire Pit**

I confirm that the information provided on this application form is true to the best of my knowledge and belief.

I agree to comply with the provisions of Recreational Vehicle Licensing By-law.

Date: _____ **Signature of Owner:** _____

Reviewed by Township of Whitewater Region Administration Staff this _____ **day of** _____ **20** _____.

Signature of Issuing Official: _____

Sketch of property/trailer location to be attached.

Name of Owner: _____

Address:_____

Phone Number: _____

Email:_____

Address of Site: _____

Roll Number: _____

Dimensions of Land: _____

Frontage:_____ **Depth:**_____ **Area:**_____

Indicate if Renewal Application: Yes_____ **No** _____

Detailed Description of Recreational Vehicle:

Length:_____ **Colour:**_____ **Model #:** _____

License Plate:_____ **VIN #:** _____

What provisions have been made for:

Septic/Black Water:_____ **Heat, if applicable:** _____

Expected dates of occupancy: _____

A Site Plan of the property should be attached showing the following:

- **Property Dimension**
- **The Location of the Recreational Vehicle on-site including setbacks from all lot boundaries, roadways and waterbody courses as set out by the Township Zoning By-law.**
- **Location of Septic System**
- **Location of Well**
- **Driveway/Parking Spaces**
- **Fire Pit**

Please state the nature and extent of the relief from the Recreational Vehicle Licensing By-law:

What is the Reason why the proposed use cannot comply with the provisions of the Recreational Vehicle Licensing By-law:

I confirm that the information provided on this application form is true to the best of my knowledge and belief.

I agree to comply with the provisions of Recreational Vehicle By-law.

Date:_____ **Signature of Owner:** _____

Reviewed by Township of Whitewater Region Administration Staff this_____ **day of**_____ **20**_____.

Signature of Issuing Official: _____

Schedule "D" – Penalty Provisions

Township of Whitewater Region

Part 1 Provincial Offences Act

By-law 25-02-1741 A by-law to license Recreational Vehicles/ Trailers in the Township of Whitewater Region

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Failure to obtain a license	2.1	\$500.00
2	Occupy recreational vehicle when prohibited - November 30th to April 30th	2.3	\$500.00
3	Permit prohibited structure	2.4	\$500.00
4	Prohibited storage of mobile home	2.10	\$500.00
5	Recreational vehicle does not conform to required setbacks of Zoning By-law	2.11	\$500.00
6	Owner keep or store more than one recreational vehicle per property	4.7	\$500.00
7	Operating a fuel burning generator between 7 p.m. and 8 a.m.	4.11 (f)	\$500.00
8	Allow person(s) to locate recreational vehicle on his/her property without a license	5.2	\$500.00
9	Obstruct – By-law Enforcement Officer	6.2	\$500.00

Note: The general penalty provision for the offences listed above is Section 7.1 of By-Law No. 25-01- 1741 a certified copy of which has been filed.